

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

SUE MARCELLA HAMBY,

Petitioner,

No. CIV S-97-0164 LKK DAD P

vs.

TINA FARMON,

Respondent.

ROBERT M. FENENBOCK,

Petitioner,

No. CIV S-97-1731 LKK DAD P

vs.

DIRECTOR OF DEPARTMENT OF
CORRECTIONS, et al.,

Respondents.

CHERRI LYNN FRAZIER,

Petitioner,

No. CIV S-97-2196 LKK DAD P

vs.

TINA FARMON,

Respondent.

1 ROBERT LOREN BOND,

2 Petitioner,

No. CIV S-99-2150 LKK DAD P

3 vs.

4 RICHARD A. RIMMER, et al.,

5 Respondents.

6 _____/
7 BERNARD LEROY MACCARLIE,

8 Petitioner,

No. CIV S-00-1830 LKK DAD P

9 vs.

10 GAIL LEWIS, et al.,

11 Respondents.

ORDER

12 _____/
13 On November 4, 2005, the above-captioned cases came before the undersigned for
14 hearing of the County of Trinity's motion to quash subpoena and for protective order. Although
15 the motion was filed only in petitioner Frazier's case, the subpoena at issue was served by
16 petitioner Frazier on behalf of all petitioners in the five related cases, pursuant to this court's
17 February 8, 2005 order granting petitioners' joint motion for leave to conduct discovery. Jeanette
18 Palla, Trinity County Counsel, appeared telephonically for movant. Daniel J. Broderick appeared
19 for petitioner Frazier and also appeared on behalf of Janice Lagerlof and Lindsay Anne Weston,
20 counsel for petitioners Hamby and Bond, respectively. Jolie Lipsig appeared for petitioner
21 Fenenbock and also appeared on behalf of Margaret Littlefield, counsel for petitioner MacCarlie.
22 Glenn Pruden appeared for all respondents.

23 Having considered the parties' briefs on file, their arguments in open court, and
24 past proceedings in the five cases, and for the reasons stated on the record, the court denied the
25 motion to quash subpoena and for protective order. Movant may request a more limited
26 protective order with regard to specific documents, as discussed in court.

Accordingly, IT IS HEREBY ORDERED that:

1. County of Trinity's September 23, 2005 motion to quash subpoena and for protective order is denied;

2. The subpoena at issue is enforced, subject to the redaction or withholding of confidential reports of child abuse made pursuant to California Penal Code § 11166; and

3. The parties shall confer and arrange a mutually convenient time for petitioners to inspect and copy the records.

DATED: November 4, 2005.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

DAD:13
hamby5.mquash